

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID A. DOWS ,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 04-341 Erie
	:	
KATHERINE E. HOLTZINGER	:	Judge McLaughlin
CONNER, ESQ., Chairman	:	
PENNSYLVANIA CIVIL SERVICE	:	
COMMISSION and JOHN DOE ,	:	
Defendants	:	JURY TRIAL DEMANDED

Part Four, Deposition of Karlos M. Deltoro, pages fifty one through one hundred inclusive

1 A Well, my opinion on that is because you
2 would introduce someone to -- as part of the intern
3 process, you would introduce them to how the agency
4 works, and how public social service work, or human
5 service work is accomplished, and that would give that
6 person a -- an early indication as to whether or not
7 they were suited for that type of work, as compared to
8 perhaps someone who comes in as a -- initially, as a
9 permanent caseworker, and then finds that that work
10 was not exactly what they thought it was going to be.

11 So, in the one case, you have the person
12 going through this program, learning what the public
13 service work is like, and then by the time they get to
14 the point where they would become a permanent
15 employee, they would make an informed decision as to
16 whether or not that would be for them.

17 Q Now, does it fit your recollection, that to
18 submit an exam for the social casework intern
19 position, an individual has to at least be a college
20 junior?

21 A I'm sorry, could you repeat that?

22 Q The individual has to at least be a junior
23 in college?

24 A To submit an application for --

25 Q To submit an application for the social

1 casework position?

2 A That's correct.

3 Q So would it be correct that the people
4 submitting these casework intern applications, are
5 generally juniors and seniors in college?

6 A Well, if they apply in the senior year,
7 they are already beyond the point where they can
8 apply, so they would not be eligible.

9 Q So it is pretty much junior?

10 A It is at the junior year, that's correct.

11 Q Even though they actually do the internship
12 while they are seniors?

13 A Part of that internship would undoubtedly
14 be done during the time they are seniors. But the
15 time they would apply, would have to be when they were
16 a junior.

17 Anything beyond that, would not work for
18 this program in terms of eligibility requirements.

19 Q And recognizing there may be various
20 nontraditional students involved --

21 A Uh-huh.

22 Q -- but would it be fair to say, that the
23 majority of these people are under the age of 25?

24 A I don't know for certain.

25 Q But your sense of it, as you have been

1 involved with these programs?

2 A Yes.

3 Q Now, you mentioned that as a retention
4 tool, it's a good thing for these people to have some
5 direct personal exposure to social work activities,
6 and issues, before they make the decision to go into
7 it as their first full-time job after college?

8 A Uh-huh. Right.

9 Q Would it be correct that the county
10 caseworker 2 position also requires that an individual
11 have either some social work, or social work related
12 prior experience, in order to sit for the exam?

13 A Are you asking if that's a minimum
14 requirement for that?

15 Q Yes.

16 A To sit for the caseworker 2 exam?

17 To sit for the caseworker 2 exam, you have
18 to have some prior experience, that's correct.

19 Q Right. That's somewhat job related?

20 A Yes.

21 Q To the job.

22 A Yes.

23 Q So that these people, similar to the
24 trainees, have some exposure that would cause you to
25 hope that they know what they are getting into?

1 A Yes.

2 Q If they go into social work? That's a yes?

3 A Yes.

4 Q We had this fine co-worker of yours
5 yesterday, that was a head nodder.

6 A Okay.

7 Q So be sure to say yes or no.

8 A Now, if I may qualify that just a little
9 bit.

10 Q Absolutely. Go ahead.

11 A It's been a while since I reviewed the
12 various options, and the minimum training and
13 experience requirements for county caseworker 2, so I
14 don't know if there is an option that someone could
15 qualify for -- off the top of my head, for which
16 someone could qualify for county caseworker 2, without
17 having prior work experience.

18 In other words, it is possible that there
19 may be an education requirement that they could have
20 met, to qualify for caseworker 2, but again, until I
21 see that, I wouldn't remember that.

22 Because, with these minimum experience and
23 training requirements, sometimes you can qualify based
24 on education, experience, or a combination of both.

25 Q Okay.

1 So to refresh your memory, I am showing you
2 what was marked previously as Deposition Exhibit 8,
3 examinations for caseworkers 1, 2 and 3.

4 A Okay.

5 Q And please take your time with that.

6 A Okay.

7 Q And what are the requirements, if any, for
8 prior experience, or formal education, to take the
9 county caseworker 1, 2, 3 examination?

10 Go ahead.

11 You are looking at the document, as we
12 speak.

13 A Well, right.

14 And what is your question?

15 Q What are the basic requirements for an
16 individual, experience requirements, and education
17 requirements, for an individual to sit for that exam?

18 A Well, typically a bachelor's degree, and
19 certain level of experience.

20 There are many, so --

21 Q And then the experience requirement can be
22 met through various analogous activities?

23 A Uh-huh. Yes.

24 Q Are you aware of any reports within the
25 Commission -- and I am using the term "report" very

1 broadly, but not just orally.

2 A Okay.

3 Q -- that indicated the relative retention
4 lengths, and length of service of the interns, people
5 who come in as interns, versus people who come in
6 under the caseworker 1, 2 and 3 exams?

7 A I am not aware of any relative to that.

8 Q Now, the Commission prepared various
9 materials to submit to the U.S. Equal Employment
10 Opportunity Commission, relative to Mr. Dows'
11 complaints, quite a while ago.

12 Did you participate in preparing or pulling
13 together any of those materials, relative to
14 Mr. Dows?

15 THE WITNESS: May I ask something?

16 MR. TAGGERT: Certainly.

17 If you want a little privacy.

18 THE WITNESS: Is that okay to do that?

19 Okay.

20 MR. TAGGERT: Caucus. We are off the
21 record.

22 (Discussion off the record.)

23 BY MR. TAGGERT:

24 Q Sir, we are back on the record, after you
25 had an opportunity to meet with Attorneys Lloyd and

1 Smith; is that correct?

2 A Correct.

3 Q And has that helped you determine your
4 answer?

5 A Yes.

6 Could you repeat the question, please.

7 MR. TAGGERT: I am going to ask the court
8 reporter to repeat the question, because he is
9 better at it than me.

10 So as soon as he can find anything that is
11 vaguely like a question, please do.

12 (Record read.)

13 A Yes.

14 Q And could you tell us what steps you took
15 to accumulate information, and how you provided it?

16 A Sure.

17 Q In writing, and other formats, e-mails,
18 et cetera.

19 A I was asked by one of the Commission
20 attorneys to meet with her, to discuss the county
21 casework intern program.

22 Q And is her name Miss Lloyd, or --

23 A No, it isn't. It is not.

24 Q With whom?

25 A Denise Wood. It is Wood; right?

1 MR. SMITH: Yes.

2 Q Okay. And that's one of -- that's an
3 attorney for the Civil Service Commission?

4 A Yes.

5 Q Okay.

6 A And in preparation for that meeting -- and
7 incidentally, I was not asked specifically to bring
8 any documentation, but in preparation for that
9 meeting, I remember pulling together a copy of the
10 test announcement for county social casework intern, a
11 copy of the supplement, perhaps a copy of a flyer that
12 we use for recruitment.

13 And I honestly don't recall anything else.
14 I may have pulled together one of the brochures that
15 we use for recruitment as well, in case she had
16 specific questions about the program, and then when I
17 met with her, I remembered having those with me.

18 But like I said, I was not asked to
19 specifically derive those.

20 Q And but for that meeting, and I am not
21 asking you about the meeting --

22 A Sure.

23 Q -- but except for the preparation up to the
24 meeting, and then participating in the meeting, did
25 you have any other activities that involved preparing

1 the EEOC response?

2 A Not to my knowledge.

3 Q And, have you ever been interviewed by
4 anyone from the EEOC, about Mr. Dows?

5 A No.

6 Q The same question as to the Pennsylvania
7 Human Relations Commission?

8 A No.

9 Q Now, are you aware of any validation, I am
10 using that term broadly, and then we can narrow it if
11 need be, as to the test that's given for social
12 casework intern?

13 A I'm personally unaware.

14 Q Are you aware, is -- when a test
15 instrument, or packet is finally created, and approved
16 for a class title, is it reviewed by the EEO Office
17 within the Civil Service Commission?

18 A I don't know.

19 Q And do you know if the final draft of a
20 class title examination instrument is provided to any
21 outside consultant, or source, for opinions as to
22 whether or not it's an effective and fair instrument?

23 A If what is provided?

24 Q When a test, or using that term to also
25 include application packets that are used as a test --

1 A Uh-huh.

2 Q -- are those on any regular basis submitted
3 to outside consultants, or firms, for evaluation?

4 A I don't know.

5 Q Have you ever run into that during your
6 time at the Commission?

7 A To them providing something? You see,
8 since I am not in personnel assessment, I don't really
9 know what specific procedures they follow.

10 Q That would be primarily their field?

11 A That's correct.

12 Q Do you know if any of the trainee programs,
13 that are also class titles, have been approved as
14 apprentice programs by the U.S. Department of Labor,
15 or any similar agency?

16 A I don't know.

17 Q In the past, do you have any idea of before
18 there was a social caseworker intern class title --

19 A Uh-huh.

20 Q -- was there already a county caseworker
21 examination that people could take?

22 A You mean the regular --

23 Q Yes.

24 A Not an intern type.

25 Q Yes.

1 A Just the regular county caseworker.

2 I believe so.

3 Q Other than the testimony you have already
4 given, are you aware of any other reasons that there
5 was a decision to also create the social caseworker
6 intern class title?

7 A I really don't know. You know, not having
8 been involved in the discussions, so --

9 Q Is it your understanding, that social
10 casework interns are paid during their internship?

11 A That's my general understanding.

12 Q Do you know which funding stream that comes
13 from, where the money comes from to pay them?

14 A I don't know.

15 Q Do you know if the funding for OCY, that
16 comes from the state and Federal Government, flows
17 through the Pennsylvania Department of Public Welfare?

18 A I am not sure. I know that the DPW was
19 considered a local funding agency, but I don't know if
20 that's what that means.

21 Q Now, you said earlier today you attended
22 job fairs, and you talked to career development people
23 at colleges and universities in the Commonwealth.

24 Have you had occasion to discuss whether
25 trainees are paid?

1 I would think interns, rather, would be
2 very interested in being paid, if they could be.

3 Have you had discussions about that with
4 college students who are interested in being in the
5 program?

6 A Yes. And I will qualify that. I have
7 generally stated, when promoting the program, that
8 there is some type of compensation, as indicated on
9 the test announcements.

10 But, the specific nature of that
11 compensation, I have not elaborated on.

12 I generally referred them to the local
13 agency where they would be interested in working, to
14 get those specifics.

15 Q So in Erie County, if there -- the
16 students' interests were being a social caseworker,
17 you could refer them to the Area Agency on Aging?

18 A That's correct.

19 Q And Office of Children and Youth, and Drug
20 and Alcohol Office; is that right?

21 A Yes.

22 Generally, what we tell the students, is
23 that -- and this is true not only of the county social
24 casework intern, but of any county position, that if
25 they want to find specifics, compensation, benefits,

1 things of that nature, they really need to contact the
2 local government agency where they would be interested
3 in working, and we generally refer them to the blue
4 pages of the phone book to find that specific office,
5 and get that information, because we don't want to
6 give them misinformation.

7 Q So if I understand, you discuss -- if a
8 college student, you are talking to about the general
9 concept of being an intern, asked about compensation,
10 you would discuss it in a very general way?

11 A Yes.

12 Q And then advise the person, for details, to
13 check the test offering, and to get in touch with
14 their local agency in their county?

15 A Well, not the test offering, but we tell
16 them specifically to check the blue pages of their
17 phone book, under "County Government", and to find the
18 office they are interested in working in, contact
19 someone in their personnel, or HR department, and ask
20 them what the typical starting rate is, if they have
21 any benefits, et cetera.

22 Q And in your experience, typically there is
23 some compensation for these interns?

24 A I believe that's the case, yes.

25 Q Have you had any feedback to the contrary?

1 A No.

2 Q Okay.

3 Now, in the County of Erie, either at the
4 county level, or Office of Children and Youth level,
5 are you aware of any particular people who tend to be
6 the contact persons, about the intern program?

7 A No.

8 Q And are you familiar with the name
9 Patrice Berchtold?

10 A No.

11 Q Miss Leibel in the Office of Children and
12 Youth?

13 A I'm sorry?

14 Q L-e-i-b-e-l?

15 A No.

16 Q Miss Locke, L-o-c-k-e?

17 A No.

18 Q Are you aware of any discussion, at any
19 time, within the Commission, about having the interns
20 taking the same written test that county caseworker 1,
21 2 and 3's take? Just have them, they would fill out a
22 packet, and then just sit for the test, and whenever
23 it is available?

24 A I am not sure I understand the question,
25 because you are --

1 Q Let me break it into parts.

2 A Okay.

3 Q Imagine a student who is a junior, as we
4 discussed earlier, in a social work program.

5 A Okay.

6 Q What, if anything, would preclude that
7 person from sitting for the caseworker 1, 2 and 3
8 test?

9 A Oh, nothing. That's an option.

10 Q So that would be an option for that person?

11 A Sure.

12 Q When potential interns talk to you at job
13 fairs, and that sort of thing --

14 A Uh-huh.

15 Q -- do you advise them that they might
16 choose to do that, or that that would be a way to go?

17 A Well, typically when a student approaches
18 you, you advise them based on the time -- the time in
19 their college career, in which they are coming to you.

20 So if someone comes who is a junior, we
21 wouldn't even necessarily go the county caseworker
22 route -- well, we would offer it as an option, anyway,
23 because we would tell them, "Okay. Since you are a
24 junior, you could qualify for the county social
25 caseworker intern, this is something that you can do,"

1 but we also give them another booklet, which is
2 employment opportunity -- it used to be called -- it
3 is called now, career -- "Careers for College
4 Graduates," and in that, that booklet, it shows the
5 county caseworker 1 and 2, which is the regular route
6 they could take.

7 So we give them both options.

8 Now, if someone was a senior, we don't even
9 give them obviously the county caseworker intern
10 route, because it is not an option that is available
11 to them at that point.

12 So for the seniors, it is just the county
13 caseworker 1 and 2 route, and that's how we advise
14 them, we don't waste their time with the other.

15 For the intern, we will give them both sets
16 of information, and let them decide.

17 Q And similarly, with a rising sophomore, you
18 can say, "Hang in there, if you apply next year" --

19 A Exactly.

20 Q -- "you could perhaps be an intern"?

21 A That's correct.

22 Q What seems to be the ratio of counties
23 looking to the trainee list, versus requesting a
24 caseworker 1, 2, 3 list, to get their caseworkers?

25 A I really don't have that knowledge. I

1 really don't know.

2 Q Do you know if there is any data kept by
3 the Commission, that would allow us to figure that
4 out?

5 A Nothing comes to mind. I don't know.

6 Q But the Commission does keep a record of
7 requests from the counties for different kinds of
8 lists?

9 A Yes.

10 Q So, for example, for 2000 -- at the end of
11 2005, we could look at a given county, and see how
12 many times they had asked for a list for a particular
13 class title?

14 A Yes.

15 Q Are you aware of any advice, either
16 written, or standard bit of oral advice, that's given
17 to the counties about the requesting intern lists
18 versus county caseworker lists, you know, that they
19 should favor one over the other, that it makes more
20 sense for them to do one or the other?

21 A No, I am not aware of anything that is kept
22 like that.

23 Q Has anyone at the Commission ever commented
24 to you, or explained his or her views, as to why the
25 counties request caseworker intern lists, when they

1 could just be looking to the county caseworker exam
2 results?

3 A Can you repeat that question?

4 Q Sure.

5 Has anyone, working at the Commission, that
6 includes, you know, Commission members, anybody, ever
7 commented to you, or discussed with you why counties
8 choose to request the intern list, rather than simply
9 asking for the county caseworker exam list?

10 A No.

11 I mean, we have -- we have informal
12 discussions as to, in general, with county caseworker
13 positions, just in terms of our overall recruiting,
14 but not necessarily, what -- why they should favor one
15 over the other.

16 You know, rather, discussions would be,
17 these are all the options that we have made available
18 to them, these are all things we should continue to
19 advise them on.

20 But I don't recall anyone saying, well,
21 they should use, if I am understanding your question
22 correctly, county caseworker -- social casework
23 intern, or beyond, county caseworker 1 list.

24 It is also discussed in terms, this is
25 another option that we should be promoting.

1 Q In your professional opinion, why do you
2 believe counties request the intern list?

3 A Why the counties -- just an opinion, you
4 are asking for?

5 Q Yes.

6 A Simply because it is another option
7 available to them, and they have such difficulty
8 getting caseworkers generally.

9 County caseworkers, in particular, have
10 always been a problem area, in terms of recruitment,
11 so in my opinion, any and every means by which you can
12 get someone professionally into those positions, and
13 keep them there, is something that a manager would
14 want to know about.

15 Q Have you ever become aware of data, that
16 interns are not only paid, which we have discussed --

17 A Right.

18 Q -- but that the money to pay them comes not
19 from the county budget, but from other budgets; from
20 state and federal budgets?

21 A I don't know anything about that.

22 Q No one has were discussed that with you?

23 A No.

24 I mean, is it possible that someone might
25 have said something like that, and it went over my

1 head, maybe, but I don't recall anything being said.

2 Q But other than a passing remark, you never
3 remember that being discussed with you --

4 A A specific discussion, no.

5 Q -- or talked to you?

6 A No.

7 Q Going back to some of your recent testimony
8 about how once a college student is the senior, it's
9 currently too late for him or her to be involved in
10 the caseworker intern program; correct?

11 A Well, specifically to apply for it.

12 I mean, they would be involved, if they are
13 already in the program and doing their internship.

14 Q To start in it?

15 A Correct.

16 Q Do you know why the program is constructed
17 that way?

18 And let me give you a hypothetical.

19 A Okay.

20 Q Assume someone were a senior, and said,
21 "You know, I really would be interested, and I would
22 like to be a trainee." The way the program is
23 currently structured, the individual can't do that.
24 But, for example, the program could be structured so
25 somebody could graduate, and if permissible, go be an

1 intern for six months, they would be a college
2 graduate, but they could still be an intern, if you
3 chose, and were allowed to have the program be that
4 way. Agreed, that it could be that way, if the laws
5 and directives allowed that?

6 A If the laws, yes.

7 Q Do you read the management directives, in
8 Deposition Exhibit 1 and 21, to require this format,
9 where people are juniors, to move into the program?

10 A Let me just take a look at them.

11 Q Sure.

12 MR. TAGGERT: And we are off the record
13 while you look.

14 THE WITNESS: That's fine.

15 But would you repeat that question?

16 Q We will go back on the record.

17 A No, I'm sorry.

18 Q Do you read Deposition Exhibits 1 and/or
19 21, to be the source of requiring the internship
20 program to only apply to juniors?

21 A To be the source? Without even looking at
22 them, I would not consider these the source of that.

23 Q What is the source of that? Where does
24 that come from?

25 A What you asked earlier, about some kind of

1 legal authority, and again, I am not aware of what
2 that might be.

3 Q We will set aside the word "legal".

4 A Okay. Okay.

5 Q And just, where does that come from, as far
6 as you know?

7 A I don't know who originally decided on this
8 particular structure of the intern programs.

9 You know, the reason I say without even
10 looking at the management directive, my understanding
11 is that management directives again are form of
12 guidance.

13 So I don't know who originally created the
14 intern programs, and what decisions were made in terms
15 of why it should be structured specifically the way
16 that they were.

17 Q And so do you know, would it follow, from
18 that answer, that you don't know if there is some
19 federal requirement, that internships be structured
20 this way?

21 A That's correct. I do not know.

22 Q And similarly, you don't know if there is a
23 Commonwealth of Pennsylvania requirement that they be
24 structured that way, except that you know the
25 Commission structures them this way for certain

1 internships?

2 A Well --

3 Q You are not aware of any Pennsylvania law,
4 regulation --

5 A No. No.

6 Q -- code, anything that requires --

7 A That particular structure.

8 Q -- the internship be that way?

9 A No. That's right.

10 Q In your training -- do you belong to any
11 professional associations of any kind?

12 A Not personally, no.

13 Q Do you have occasion to go to training that
14 involves civil service people from other states?

15 A Oh, from other states? No.

16 I know of associations that do that, but I
17 have not personally participated in that.

18 The only possible exception to that might
19 be a conference I went to regarding persons with
20 disabilities, the governor's committee on persons with
21 disabilities, I think it was, where there may have
22 been people from other states. But that's the only
23 thing I can think of.

24 Q Have you bumped into any information about
25 comparable social casework internship programs in

1 other states?

2 A No.

3 Q And no directives from Region 3 of Health
4 and Human Services --

5 A No.

6 Q -- out of Philadelphia?

7 A No.

8 Q Okay.

9 Now, in your professional work with the
10 Commission, at times has your work included dealing
11 with matters of equality relative to hiring, and
12 promotion, and avoiding discrimination of people?

13 A Yes. Yes.

14 Q And you had some similar background in your
15 Department of Agriculture work as well?

16 A To an extent, yes.

17 Q Are you aware of anyone, within the
18 Commission, raising concerns about the age aspects of
19 hiring off the social casework intern list?

20 A No.

21 Q Have you ever seen any gender breakout of
22 the people who go onto the intern list, or are hired
23 off the intern list?

24 A No.

25 Q The same question, as to the hires off

1 county caseworker 1, 2, 3 list?

2 A We have -- could you repeat the question
3 one more time?

4 Q Sure.

5 As to the county caseworker class titles 1,
6 2 and 3, have you seen any data breaking out gender,
7 or age, for the hires on that list?

8 A Oh, for the hires. No.

9 No.

10 Q And how about for the people sitting for
11 the exam?

12 A There, yes, there is a report, that --
13 which is called eligible list analysis, and work force
14 composition, that report will allow you to see, by
15 final earned rating, not specifics, in terms of
16 individuals, but it will allow you to -- in aggregate,
17 to see who appears -- not who, I shouldn't say who --
18 how many people appear on the eligible list for a
19 particular class. That is not exclusive to the county
20 caseworker, we can do that for any job class. And
21 that will show a breakdown, by race and sex, by final
22 earned ratings.

23 But that's an aggregate.

24 Q So it will show race and sex, but not age?

25 A It will -- let me just think for a second.

1 No, not age.

2 Q Is age kept separately, or it is just not
3 tracked?

4 A I don't know. I mean, I just know this
5 particular report. I don't know if that's a separate
6 thing they can get.

7 Q And, is the evaluation, that shows race and
8 age, sex or other -- race and sex --

9 A Race and sex.

10 Q -- done annually in some particular basis?

11 A No, that's actually done upon agency
12 request.

13 It's -- it's something that they would have
14 to give us, the agency would have to give us specific
15 parameters, they would have to ask for specific job
16 class, and particular time frame.

17 I'm sorry, time frame doesn't take, come
18 into play with this. It is a snapshot of what the
19 list looks now.

20 So if they give us a particular class, and
21 they want to see what that data looks like, that's
22 what -- the best way we can do it.

23 Q Now, is there a flaw in providing an
24 analysis of race and sex, and for the counties,
25 because you only know what's been reported by the

1 counties?

2 In other words, if counties are not pretty
3 effective in reporting accurately, and timely, to you,
4 can you provide accurate data about the race and sex
5 of the people being hired?

6 A Well, this is not dependent on the county.
7 This is based on who actually takes the
8 test.

9 So that information is something that civil
10 service directly gets information, based on candidates
11 taking the tests.

12 That is not something that is dependent on
13 the county.

14 Q All right. So you can provide pretty
15 specific data about who sits for the tests, as to race
16 and sex?

17 A Yes.

18 Q But as to hires, you then become dependent
19 upon the county, for the county jobs, because they
20 have to report those to the Commission? Is that
21 right?

22 A Well, yes, we would have to be dependent
23 upon the counties.

24 I don't know if that's information that the
25 Commission ever asked for.

1 Q But, if the county reports, "We have hired
2 a Ms. X in a particular class title," the Commission
3 already has whatever data relates to Ms. X in its
4 database, and you came to have that information
5 because they sat for an exam?

6 A We would have information on the specific
7 candidate, based on what they put on their
8 application, when they applied, that's correct.

9 Q So if the need arose, you could correlate
10 what was being reported by the county with preexisting
11 data you had, to determine race and sex of people
12 being hired?

13 A Could you define what you mean by
14 "correlate"?

15 Q Easier verb, you could look at the data?

16 A Well, I mean, give me an example, is what I
17 am saying.

18 Q Exactly. Ms. X, for example, in our
19 hypothetical, has been hired by the county as a
20 caseworker intern, or caseworker 1, 2, 3.

21 A Okay.

22 Q The county reports this fact.

23 Now, if you needed to know, you could then
24 look at the information you obtained when Ms. X sat
25 for the exam?

1 A Oh, yes.

2 Q And determine the age -- the race and sex,
3 rather, of her, and her hiring, and be able to apply
4 that to hires?

5 A See, I am not -- it is that last part I am
6 getting confused about, "apply it to hires."

7 Q Let's do a broader --

8 A Before you even go there, let me just
9 clarify something, too, because maybe I wasn't hearing
10 you the way you meant it.

11 The Commission, based on a certification
12 that an agency returns to the Commission -- the agency
13 returns to the Commission, the Commission will know
14 who is appointed for a particular position.

15 Q Correct.

16 A So I don't want to give the impression that
17 we don't ever ask the agencies who they hire. We know
18 that because we know who is appointed, based on a
19 certification.

20 So I just want to clarify that.

21 Now, going back to your question here.

22 Q Right.

23 So for each individual who is certified as
24 having been hired --

25 A Okay.

1 Q Because if the county doesn't do its job,
2 you don't know.

3 A Right.

4 Q -- you could, if you wanted to know, look
5 at your test applications, or data, and determine the
6 race and sex of that person who is certified as hired?

7 A Yes.

8 Q But you are telling me you could not
9 necessarily determine the age of that individual,
10 unless that person had chosen to report it when he or
11 she filled out the materials for the exam?

12 A The only way you would be able to determine
13 age, is if you have a birth date, and I honestly don't
14 remember if that is something that is put on the --

15 Q Right, we talked about that earlier today.

16 A Yeah. I'm -- well, okay.

17 Are you looking for this? I don't recall
18 you giving me that.

19 Okay.

20 (Thereupon, Deposition Exhibit No. 22 was
21 marked for identification.)

22 MR. TAGGERT: To keep the record clear, we
23 have previously had Exhibit 7, which is an
24 examination notice, test announcement, for a
25 county social caseworker intern.

1 BY MR. TAGGERT:

2 Q I am showing you Exhibit 22, which is
3 mostly the same, but it includes a cover sheet from
4 Benito Martinez.

5 A Okay.

6 Q And so, if you would double check 22, and
7 it is okay to review it with Miss Lloyd, sitting to
8 your right.

9 A Okay.

10 Q Have you had a chance to familiarize
11 yourself with 22?

12 A Yes.

13 Q And in particular, I am looking at the
14 cover sheet, that begins, "Dear Internship Candidate."

15 Is this cover sheet, or something very
16 similar, with the same general content, attached to
17 the test announcement materials?

18 A Not typically, no.

19 Q When would it be attached?

20 A When Mr. Martinez actually does active
21 recruitment, for social -- county social casework
22 intern.

23 In other words, the test announcement
24 supplement, that's on the boards up front, for a
25 typical candidate walking in, would not have that

1 cover sheet.

2 This is something that he would put, if he
3 were sending it directly to a candidate.

4 Q So when a Commission worker is either out
5 personally recruiting, or responding directly to
6 someone, he or she might apply this sort of cover
7 sheet we are seeing in Deposition Exhibit 22?

8 A Might apply. More probably, if we are
9 mailing something in response to an e-mailing, or
10 phoning about it.

11 If we were at a job fair, we probably
12 wouldn't give them something like this, we would
13 probably just give them the test announcement, the
14 supplement, maybe his business card, but if we were
15 mailing something in response to a phone call or an
16 e-mail, or a mass mailing to a number of candidates,
17 he could include there, yes.

18 Q And would you similarly, in your business
19 practice, if you were responding directly, send
20 something like Mr. Martinez would send?

21 A As a courtesy, I would say so.

22 Q I think it shows also a sort of a
23 friendliness toward the individual?

24 A Yes.

25 Q Now, the third paragraph refers to, "The

1 internship provides valuable work experience," and
2 that speaks for itself?

3 A Uh-huh.

4 Q "Possible college credits." What do you
5 know about that? When an individual is serving as an
6 intern, are they typically getting some credits from
7 their college?

8 A That may be true.

9 I can't speak with certainty to this,
10 because I am not familiar with how it works.

11 I know, for example, in some cases, an
12 internship will be required, in order to complete the
13 school's requirements for a degree in a particular
14 major.

15 For example, I know at Shippensburg, that
16 all of their students have to complete a practicum,
17 what they would call practicum, field practicum in
18 order to complete their degree requirements.

19 Q For which degree?

20 A For a bachelor degree in social work, in
21 particular.

22 So whether they would consider this program
23 as meeting that requirement, I'm speculating that that
24 might be what this is referring to.

25 Q But in your own professional experience,

1 using the Shippensburg example, Shippensburg does in
2 fact accept participating in the internship program as
3 meeting the practicum requirements?

4 A I don't know about this specific program.

5 I know that they require a field practicum,
6 but I can't speak with certainty as to that.

7 Q But it is your experience that many of the
8 colleges that have social work programs, require some
9 sort of practicum?

10 A That's correct. For that particular social
11 work program, right.

12 Q And those practicum requirements may or may
13 not be met by participating in the internship program?

14 A Yes.

15 Q Are there any colleges, where you know,
16 from your own experience, that the practicum
17 requirement is met by participation in the internship
18 program?

19 A I don't know.

20 Q So no one example comes to mind?

21 A No.

22 Q Then the same paragraph goes on, "And
23 eligibility for full-time employment after
24 graduation." Would you address what's meant by that
25 clause?

1 A Sure. Sure.

2 When someone completes the six month
3 internship experience, which is built into the
4 structure of this program, they, upon completion of
5 those -- that roughly comes out to about 975 hours of
6 employment -- that person then becomes eligible to be
7 promoted, without exam, to county caseworker 2.

8 Q And so, first of all, the promotion, in the
9 term promoted without exam, would be moving from a
10 trainee to being a caseworker 2?

11 A Well, more accurately, from an intern to a
12 county caseworker 2.

13 Q I apologize.

14 A That's all right.

15 Q So that's the promotion?

16 A Yes.

17 Q Is going from to a caseworker 2?

18 A Yes.

19 0 Is there a caseworker 1?

20 A There is.

21 Q Now, does an individual, who has
22 participated, and met all of the requirements of the
23 intern program, necessarily move into being a
24 caseworker 2?

25 In other words, has the county obligated

1 itself to do that for an individual who has
2 participated successfully as the intern?

3 A Let me be very careful how I qualify this.

4 Q That's why I want to go right into that.

5 A If the person, oldest -- they may have done
6 all of the hours, but it is all contingent upon
7 whether or not they successfully -- if they performed
8 satisfactorily.

9 If they did not perform satisfactorily, the
10 agency has the perfect right to just say, "Part ways."

11 Q So for our hypothetical, let's assume a
12 quality student, who has done a good job, and their
13 work is approved of.

14 A Yes.

15 Q So they have met every requirement.

16 Is the participating county then obligated,
17 in some way, to move the person into being a
18 caseworker 2?

19 A They need to have a position available for
20 that person, as well.

21 Assuming that that's the case.

22 I don't know if I would use the word
23 "obligation."

24 But -- because when you come to think of
25 it, you know, who -- what agency has an obligation to

1 appoint someone, I don't know, I would be speculating
2 on that.

3 But would they be eligible to be? Yes.

4 Q Is that in fact what generally happens, the
5 majority of the time?

6 A To my knowledge, yes.

7 Q Have you run into examples of people who
8 were deemed to have performed satisfactorily, as the
9 interns, but then were not taken on by the county?

10 A I have not heard of any situations like
11 that.

12 MR. TAGGERT: Now, let's go off the record.

13 (Discussion off the record.)

14 - - -

15 (Thereupon, at 10:54 o'clock a.m., a
16 luncheon recess was taken to 1:32 o'clock p.m.)

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1 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

2 BY MR. TAGGERT:

3 Q Let us begin.

4 We are resuming our afternoon session and,
5 sir, if I recall correctly, among other documents, you
6 had with you Deposition 1, 21 and 22. And I don't
7 know if we will need them, but at least you are ready,
8 we are back where we started.

9 Now, in your own experience, your own
10 activities of going to job fairs, colleges,
11 universities, any place where you might be meeting
12 people in the hope of encouraging involvement in the
13 civil service, and those jobs, and applying and taking
14 tests, and so forth, what do you typically say to --
15 and I will use a broader term, instead of just social
16 work -- students who are in social sciences of any
17 kind, where you feel they might be interested in some
18 of the jobs that are available through the civil
19 service; what do you say to them?

20 A Well, if they are -- if they are seniors, I
21 typically direct them to -- I think I mentioned
22 earlier, that publication "Careers for College
23 Graduates."

24 And that brochure lists a wide spectrum of
25 job classes, both state and local titles.

1 And it's broken down into three major
2 areas, individuals that have associate's, bachelor's
3 and master's, and it is by the occupational areas are
4 identified and tested on.

5 So if they were a social science major, I
6 will go to the particular section that will be
7 appropriate, depending on the degree, and the job
8 classes that will fall under that occupational
9 category.

10 In that case, the social and employment
11 services.

12 So for someone with the social sciences
13 major, I would recommend things like the county
14 caseworker, something like income maintenance case
15 worker for the state, any other title that would be
16 appropriate.

17 If it is someone who is coming in that is
18 an underclassman, in their freshman, junior year, or
19 whatever, if they are in their junior year, I would
20 recommend anything that would be appropriate. In this
21 case, something like the social -- the county social
22 casework intern would be the appropriate thing to
23 recommend, along with letting them know that by the
24 time they graduate, if they don't go into this
25 program, they can always take the county caseworker,

1 and anything else, to which a bachelor's degree is
2 required, they would be eligible for.

3 Q Now, are there any standard instructions
4 that are given to you, and the other civil service
5 representatives who actually go out into the field,
6 and meet with career officers in colleges and
7 universities, and go to job fairs?

8 A Not really.

9 It is more historically what we have done
10 in our bureau, division. Right now, for my analysts,
11 for example, I would give them the direction that they
12 would need in terms of -- when they are first
13 beginning, of course, once they know what to do, then
14 they are on their own, obviously, but we just rely on
15 what has worked in the past, in terms of just standard
16 things we do at job fairs, and at presentations.

17 Q Are there any prepared materials in the
18 nature of videotapes, or DVD's, or audio tapes, or
19 PowerPoint presentations, that sort of thing?

20 A There -- within the last year, I'd say
21 there has been a video, or DVD, that was prepared
22 specifically for the county casework series. That was
23 done by our Bureau of Personnel Assessment.

24 That is what's known as a realistic job
25 preview video.

1 Our recruiters don't actually take those
2 with them on trips. At least they don't right now.

3 That was something that was prepared to be
4 sent to the career services offices at colleges, so
5 that they could show it to their interested students,
6 to try to give them a realistic sense of what the
7 county caseworker job title would be like, in both the
8 Children and Youth, and Mental Health and Retardation
9 environments, and they seem to be very appreciative of
10 that, the people I have talked to, anyway.

11 But it is not a tool that we normally take
12 to job fairs.

13 Quite frankly, when you are in a job fair
14 environment, or even in a presentation environment,
15 you don't have time necessarily to go and put videos
16 on, and DVD's, unless you have them on a continuous
17 loop.

18 As we don't specifically concentrate on
19 county caseworker, it is not something that we
20 typically take with us on visits.

21 Q This particular DVD, was it sent out to a
22 number of colleges and universities?

23 A Yes, it was. It was sent to all of our --
24 well, let me just think here for a second.

25 Yeah, all of our four year colleges, and

1 universities, throughout Pennsylvania.

2 Q And typically, it would be with some sort
3 of a career planning office?

4 A The career services, or career placement,
5 that's correct.

6 Q Were these same materials provided to
7 public libraries?

8 A I don't know if they were.

9 I don't know that.

10 I know that we did not; from my office, we
11 did not provide them to public libraries.

12 Q And were they available from the
13 Commission, do you know, for a fee; can I, for
14 example, order one?

15 A There is no charge for it, no.

16 They are available from the Commission, we
17 have copies.

18 To my knowledge, no one has been charged
19 for that.

20 Q Now, how did you learn how to handle
21 yourself at these public events?

22 A Like every analyst, pretty much through
23 doing, working with other analysts who were familiar
24 with college recruitment.

25 Q So you began with a buddy system; you would

1 go with someone who has done it already?

2 A That's true, exactly.

3 Yeah, I mentioned before, that I started
4 out as a bilingual recruiter, but in point of fact,
5 all of the analysts in the Bureau have always assisted
6 one another, when it comes to job fairs, because often
7 times the job fairs get to be quite large, so we would
8 buddy up with someone, and at that time we had two
9 different divisions handling recruitment, and we would
10 buddy up to the other division, and assist them, and
11 just do what they do.

12 Q Are there written materials, not for
13 distribution to the students, but that are given to
14 you, and other staff members, about how to handle
15 yourself, and what to say at these public events, like
16 the job fairs?

17 A Not really.

18 There is nothing formal, that is given to
19 anyone.

20 I know in the past -- and this is not
21 exclusive to any particular class -- there have been
22 attempts to do recruitment guide type things.

23 As a matter of fact, we were thinking of
24 doing something like that in the future, Commonwealth
25 recruiters.

1 But there is nothing that I, for example,
2 would give a brand new recruiter on my staff, and say,
3 "This is the manual of how you do these things."
4 There is nothing like that.

5 It's really, most of that is really on the
6 job type training, literally just going out and doing
7 it.

8 Q When you are speaking to college juniors,
9 in particular, because we were mentioning them this
10 morning, do you advise them that it would be prudent,
11 if they are interested in a caseworker position, to
12 try to be in both the intern list, and the caseworker
13 list?

14 In other words, to sit for the exam, while
15 they also pursue the other approach?

16 A You mean like at a presentation, for
17 example?

18 Q Are there just any one-on-one contact, or
19 at a presentation to a group, or advising the
20 placement officers at the colleges about what might be
21 good for them in advising their students?

22 A Well, I could tell you, from my personal
23 experience, giving presentations to social work class,
24 the ones I typically addressed, in actual classroom
25 class setting, have been beyond the junior year

1 already, so those individuals I pretty much directed
2 them automatically to the county caseworker exams.

3 I have told them, in that, because those
4 classes -- I am referring specifically to classes that
5 I address in Shippensburg University, I do a couple of
6 times a year, and that's organized by the -- by a
7 social work professor there.

8 And, in the context of that presentation,
9 again, all of the people there are just about ready to
10 go on, to -- they are beyond the junior year already,
11 so they wouldn't qualify for that, but I let them
12 know, "If you have any friends who you know are coming
13 up in the program, if they are interested in something
14 like the county social casework intern, that is
15 something they can look into."

16 Q I am going to ask you to take a moment, and
17 just reflect on your various experiences in dealing
18 with the college students.

19 A Okay.

20 Q And the people that advise them.

21 A Okay.

22 Q Have you ever had occasion to advise anyone
23 to both pursue the intern list, and being on it, and
24 also sit for the exam for caseworker?

25 A We have to think of a specific instance?

1 Q Yes, any specific example come to mind?

2 A No, not really.

3 I mean, it is just very general types of
4 things that we deal with.

5 Particularly, when it comes to career
6 placement folks, in particular, one thing you need to
7 understand is that we are advising them of the full
8 gamut of civil service job titles, and we don't
9 necessarily focus on one particular area.

10 So we try to give them whatever tools that
11 they can use, that will cover anybody that comes to
12 see them, whether they be a junior, or they be a
13 senior.

14 When it comes to individual students, it
15 really depends on the context of that particular
16 event.

17 As I mentioned earlier, if you are at a job
18 fair, if the junior comes up to your table, then, you
19 know, you are not going to -- you are going to advise
20 somewhat -- and they specifically come and say to
21 you -- and they are very specific most of the time,
22 they will come and say, "Well, I'm just looking for
23 internships."

24 And then if you have something in their
25 area, that you can recommend, you advise them of that.

1 But as I said, we typically like to give
2 them, if possible, also, that career services
3 brochure, so that they can understand what's available
4 to them.

5 Not just in their field, but anything else
6 that might be available to them with a bachelor's
7 degree, because sometimes there are job titles they
8 can qualify for with any bachelor's degree, regardless
9 of their field of study.

10 So we like them to have all of their
11 options.

12 But if they are looking specifically for
13 internships, we advise them on that, and they go on
14 their merry way, and they are happy.

15 Q Do you sometimes speak to, perhaps like the
16 professor, your contact person at Shippensburg, to
17 people who are the college advisors to social work
18 majors? In other words, these would probably be
19 professors, in the social work department.

20 Do you ever have occasion to speak to them?

21 A I personally have not had occasion to speak
22 to other ones, other than the one at Shippensburg, and
23 for this particular professor, that's always in the
24 context of these specific visits that he sets up for
25 me every semester.

1 Q Do other people in your staff go in similar
2 visits to other schools, where they go and deal
3 directly with social work students?

4 A Not directly with -- well, let me qualify.

5 Q As a group?

6 A As a group, not to my knowledge.

7 I know that in the past, I mentioned
8 Mr. Martinez earlier, Mr. Martinez has had occasion to
9 speak to groups, but I do not know if any of them were
10 specifically social work groups.

11 Typically, when he goes out, let me clarify
12 that, when he does intern recruitment, it is broad,
13 covering any internships that the Commission offers,
14 not necessarily just the county social casework
15 intern.

16 The only classroom setting that he has gone
17 into, as far as I know, specifically with students for
18 a particular intern class, would be for accounting.

19 I don't believe in the recent past that he
20 has gone specifically to social work classes, for that
21 purpose.

22 Q Got it.

23 We will be exiting this area shortly. I
24 promise.

25 A That's all right.

1 Q But, simply on theory of maximizing
2 potential for students and, you know, giving them as
3 many ways to get to their goal as possible, why is it
4 that with students, at least prior to being seniors,
5 that it isn't your custom to advise them if they want
6 to be caseworkers, to just pursue both paths, and see
7 what gets you there?

8 A Well, I'm not sure that it isn't our
9 custom.

10 You know, as I said --

11 Q Well, if I understand right, you do give
12 them the general, which is probably a substantial
13 amount of material, about civil service jobs, and
14 what's available, and how to do it.

15 A Right.

16 Q So, in that sense, that gives them the data
17 they need, if they are well motivated, to pursue
18 taking the county caseworker exam, if they want; is
19 that fair to say?

20 A Correct.

21 Q And then you tend to discuss more
22 specifically being in the intern program, if they have
23 expressed an interest in that, and it is not too late,
24 as they are into their senior year; is that correct?

25 A Correct.

1 Q But, it's generally not your practice to
2 make a point of flagging the taking of the caseworker
3 exam, as the specific option, if someone has the
4 internship approach still available; in other words,
5 you tend to indicate that their prime choice would be
6 to go with the internship, if possible?

7 A Right.

8 Well, I mean -- because they are there,
9 because they are in their junior year, and it is
10 something that is -- it is a program that will
11 eventually lead to their permanent employment, if they
12 successfully perform it, as we discussed earlier, you
13 know, it makes sense for us to promote that program to
14 them, as I said, not to the exclusion of the county
15 social casework, but sometimes, especially when it
16 comes to civil service jobs, you want to plant the
17 seed as early as possible.

18 You know, if we can -- there are very few
19 instance in which we can wait -- in which you can
20 catch someone early enough, where we can grab their
21 attention for civil service work.

22 Why wait until the senior year, or tell
23 someone, "Wait until your senior year to begin looking
24 for civil service employment," if you have a program
25 that is available to you right now, that can